

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**TIMOTHY KELLY,
on behalf of himself and
all others similarly situated,**

Plaintiff,

v.

Civil Action No. 3:13cv311 (JAG)

NATIONSTAR MORTGAGE, LLC,

Defendant.

**DEFENDANT NATIONSTAR MORTGAGE, LLC'S
MOTION FOR PROTECTIVE ORDER**

Defendant Nationstar Mortgage, LLC, by counsel, pursuant to Federal Rule of Civil Procedure 26, hereby moves this Court for entry of a Protective Order regarding Plaintiff's Notice of Rule 30(b)(6) Deposition of Defendant and asks that the Court enter a protective order postponing the Rule 30(b)(6) Deposition currently scheduled for February 4, 2014. Plaintiff did not confer regarding availability for that date in advance of noticing the deposition. Nationstar's representative is not available that day, but has offered February 19, 20, 21, 24, or 25 instead (all before the discovery deadline of March 3). Plaintiff has refused to postpone the deposition despite there being no prejudice or change to the scheduling order. The reasons supporting this motion are more thoroughly set forth in the accompanying memorandum of law.

Defendant certifies in compliance with Local Civil Rule 7(E) and 37(E) that it has attempted in good faith to resolve the discovery matters at issue and confer with Plaintiff to resolve this Motion without the necessity of Court involvement.

WHEREFORE, Defendant Nationstar Mortgage, LLC, respectfully requests that the Court grant its Motion for Protective Order regarding Plaintiff's Notice of Rule 30(b)(6) Deposition of Defendant, and grant Defendant any further legal or equitable relief as the Court deems appropriate.

NATIONSTAR MORTGAGE, LLC

By: /s/ Jason E. Manning
Of Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of February, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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